

REMARKS

The above-identified patent application has been amended and Applicants respectfully request the Examiner to reconsider and again examine the claims as amended.

Claims 1 and 3 – 19 are pending in the application. Claims 1 and 3 - 19 were rejected. Claim 4 is objected to. Claims 1, 5, 6, 7, 15, 16, 17 and 19 are amended herein.

The Examiner rejected Claims 1, 3, 6, 15, 17 and 18 under 35 U.S.C. § 103(a) as being unpatentable over Katsuki (6,798,447) in view of Owada (US 2002/0006281). The Examiner also rejected Claims 5, 7-10, 12, 13 and 19 under 35 U.S.C. § 103(a) as being unpatentable over Katsuki in view of Takemoto (5,065,246). The Examiner rejected Claim 11 under 35 U.S.C. § 103(a) as being unpatentable over Katsuki in view of Takemoto and further in view of Owada. Claim 14 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Katsuki in view of Takemoto and further in view Morimoto, US Patent 6,487,366. Claim 16 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Yamasaki, US Patent 5,138,360 in view of Novak, US 2002/0141658 and further in view Katsuki. Claim 4 was objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Applicants wish to thank the Examiner for his time and attention to this application.

Applicants have amended Claim 1 to include the limitations of Claim 4 and thus Claim 1 should now be allowable.

Applicants have amended the remaining independent claims to more distinctly claim the

invention.

Independent Claim 5 is neither described nor suggested by the references since the references taken separately or in combination neither describe nor suggest "... a compression engine, responsive to the image detector, to provide a plurality of successive compressed data files and a digital processor to compare the size of each one of the plurality of successive compressed data files and to provide a control signal to the motor to move the lens to a position that creates the largest compressed data file to focus the lens."

Independent Claim 6 is neither described nor suggested by the references since the references taken separately or in combination neither describe nor suggest "... comparing the size of the data file of the first image with the size of the data file of the second image and moving the lens in the direction of the position providing the larger file size; capturing a third image and digitally compressing and storing the data; and comparing the size of the data file of the third image with the size of the data file of the previous image that provided the largest data file and moving the lens in the direction of the position providing the larger file size."

Independent Claim 7 is neither described nor suggested by the references since the references taken separately or in combination neither describe nor suggest "... a size signal indicative of the size of the compressed digital signal; and a controller that controls said driver to locate said lens at a position where said size signal becomes greatest."

Independent Claim 15 is neither described nor suggested by the references since the references taken separately or in combination neither describe nor suggest "... moving the lens to another one of a plurality of positions and capturing through the lens and digitally compressing a digital image of the test target to provide a compressed image file having a file size until the file size is maximized; moving the lens to still another one of a plurality of positions and capturing through the lens and digitally compressing a digital image of the test target to provide a compressed image file having a file size until the file size is maximized; and fixing the lens within the unit under test at the position that provides the maximum file size to focus the lens."

Independent Claim 16 is neither described nor suggested by the references since the references taken separately or in combination neither describe nor suggest "... capturing additional images of the test target with the sensor and segmenting the additional images into regions corresponding to the regions of the object plane and successively compressing the digital image corresponding to each region and recording the relative size of the compressed image for each region; and adjusting the location of the sensor relative to the lens to set axial and tilt adjustments such that the relative size of the compressed image for each region is maximized."

Independent Claim 17 is neither described nor suggested by the references since the references taken separately or in combination neither describe nor suggest the method of "... comparing the size of the data file of the first image with the size of the data file of the second image to determine which lens position provides a larger file size; moving the lens to still another position; capturing a portion of a third image passing through the lens and digitally compressing and recording the size of the resulting data file; and comparing the size of the data file of the third image with the size of the data file of the previous image having the largest data file size to determine which lens position provides a larger file size to focus the lens.

The references taken separately or in combination neither describe nor suggest the range finder as claimed in claim 19 having " ... a processor that successively processes said signals to provide a plurality of digital signals indicative of the optical image and to compress said digital signals to provide a plurality of compressed digital signals to provide a size signal indicative of the size of each one of the plurality of compressed digital signals; and a controller that controls said driver to locate said lens at a position in focus where said size signal becomes greatest, said position corresponding to a specific range."

The remaining Claims depend from an independent Claim and cite additional elements or steps, hence they too are allowable for analogous reasons.

Applicants have submitted herewith a Petition for an Extension of Time for three months to cover the costs of the petition. Authorization to charge Daly, Crowley, Mofford & Durkee,

Appl. No. 10/034,295  
Reply to Office Action of October 2, 2006

Docket No. FLEX-002PUS

LLP Deposit Account No. 50-0845 for this cost or any excess fees due or credit any overpayment is hereby given.

Accordingly, re-examination and reconsideration are requested in view of the above amendment and remarks.

Respectfully submitted,

Dated: March 30, 2007

DALY, CROWLEY, MOFFORD & DURKEE, LLP

By: /Donald F. Mofford/  
Donald F. Mofford  
Reg. No. 33,740  
Attorney for Applicant(s)  
354A Turnpike Street - Suite 301A  
Canton, MA 02021-2714  
Tel.: (781) 401-9988, Ext. 13  
Fax: (781) 401-9966  
*dfm@dc-m.com*